

STATE OF WASHINGTON  
BEFORE THE MARINE EMPLOYEES' COMMISSION

OFFICE & PROFESSIONAL EMPLOYEES )	
INTERNATIONAL UNION, LOCAL 8, )	MEC Case No. 16-00
)	
Complainant, )	DECISION NO. 254 – MEC
v. )	
WASHINGTON STATE FERRIES, )	ORDER DISMISSING
)	ADJUSTED COMPLAINT
Respondent. )	
_____ )	

Ron Weigelt, Union Representative, appearing for and on behalf of Office and Professional Employees International Union, Local 8.

Christine Gregoire, Attorney General, by David Slown, Assistant Attorney General, for and on behalf of Washington State Ferries.

THIS MATTER came on regularly before the Marine Employees' Commission (MEC) on July 5, 2000, when Ron Weigelt, Office and Professional Employees International Union, Local 8 (OPEIU), filed an unfair labor practice complaint against the Washington State Ferries (WSF). OPEIU's complaint charged WSF with engaging in unfair labor practices within the meaning of RCW 47.64.130(1) by interfering with, restraining or coercing employees in the exercise of rights; and refusing to bargain collectively with representatives of employees.

Specifically, OPEIU charged WSF with failing to provide the union with the names of WSF employees who had filed Labor and Industries (L&I) claims related to poor indoor air quality at the 2911 Building. The union contended that the information was necessary to effectively represent its membership.

The complaint was forwarded to MEC Commissioners for initial review. The Commission reviewed the complaint and determined that the facts alleged may constitute unfair labor practices, if later found to be true and provable. Commissioner John P. Sullivan was appointed to act as Mediator.

A settlement conference was conducted on August 23 and September 27, 2000. Prior to the first conference, WSF had provided OPEIU with a list of employees who had submitted L&I claims; however, the union discovered it was inaccurate. Following the second conference, Ron Weigelt wrote to the Department of Labor and Industries, requesting the information; L&I refused to disclose. In a letter, dated October 10, 2000, Ron Weigelt once again requested that WSF be ordered to provide the information he was seeking. In response, MEC conducted a third day of settlement discussions on November 17, 2000.

At the November 17 settlement conference, with Commissioner John Sullivan's assistance, the parties reached a mutually agreeable settlement of this matter. The agreement is attached hereto and becomes a part of this Order by reference. On December 20, 2000, OPEIU withdrew the complaint, based upon receipt of the requested information from WSF.

#### ORDER

It is hereby ordered that the unfair labor practice complaint filed by OPEIU against WSF and docketed as MEC Case No. 16-00, be dismissed.

DATED this 4th day of January 2001

MARINE EMPLOYEES' COMMISSION

/s/ JOHN D. NELSON, Chairman

/s/ JOHN P. SULLIVAN, Commissioner

/s/ DAVID E. WILLIAMS, Commissioner

**SETTLEMENT AGREEMENT, MEC CASE 16-00**  
**November 17, 2000**

IN FULL AND COMPLETE SETTLEMENT of MEC Case 16-00,

IT IS HEREBY AGREED, by and between the parties, Office and Professional Employees International Union (OPEIU) and Washington State Ferries (WSF) as follows:

Upon WSF providing an accurate list of the names of all OPEIU-represented employees who have filed L & I claims regarding mold-related air quality issues, OPEIU will withdraw this complaint.

/s/ Ronald Weigelt  
For OPEIU Local 8

/s/ Michael Manning  
For Washington State Ferries